

WEMMH/SB/21 (4/03)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/677.281
Filing Date	September 26, 2003
First Named Inventor	Thomas L. Sevier et al.
Group Art Unit	3764
Examiner Name	Quang D. Thanh
Attorney Docket Number	20232-15

Total Number of Pages in this Submission

14

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Form SB/08 Cited References (Patent & Non-Patent)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Small Entity Statement	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Documents		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Daniel J. Lueders, Reg. No. 32,581
Signature	
Date	September 29, 2004

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: October 17, 2003

Typed or printed name	Daniel J. Lueders		
Signature		Date	September 29, 2004

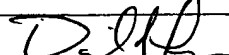
020232-000015.DGG/dys.306108

FREE TRANSMITTAL FOR FY 2003 <small>Patent fees are subject to annual revision.</small>				Complete if Known			
				Application Number		10/677,281	
				Filing Date		September 26, 2003	
				First Named Inventor		Sevier et al.	
				Group Art Unit		3764	
Examiner Name		Thanh, Quang D.		Attorney Docket Number		20232-15	
Total Amount of Payment		(\$108.00)					

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																					
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ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner's Action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner's Action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner's Action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action		1251	110	2251	55	Extension for reply within first month		1252	410	2252	205	Extension for reply within second month		1253	930	2253	465	Extension for reply within third month		1254	1,450	2254	725	Extension for reply within fourth month		1255	1,970	2255	985	Extension for reply within fifth month		1401	320	2401	160	Notice of Appeal		1402	320	2402	160	Filing a brief in support of an appeal		1403	280	2403	140	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,300	2453	650	Petition to revive - unintentional		1501	1,300	2501	650	Utility issue fee (or reissue)		1502	470	2502	235	Design issue fee		1503	630	2503	315	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))		1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))		1801	750	2801	375	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application	
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The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application, excluding the payment of issue fees <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																																																																																																																									

FEE CALCULATION																																													
1. BASIC FILING FEE																																													
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																								
1001	750	2001	375	Utility Filing Fee																																									
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SUBTOTAL (1)					(\$)																																								
2. EXTRA CLAIM FEES																																													
Total Claims	32	-20** =	12	X	9 = \$108.00																																								
Independent Claims	2	-3** =	0	X																																									
Multiple Dependent																																													
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SUBTOTAL (2)					(\$) 108.00																																								
Other Fee (specify) _____ * Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)																																													

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Daniel J. Lueders		Registration No. (Attorney/Agent)	32,581	Telephone (317) 634-3456
Signature			Date	September 29, 2004	



020232-000015.DGG.300168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Thomas L. Sevier et al.) Before the Examiner
Application No. 10/677,281)
Filed: September 26, 2003) Quang D. Thanh
INSTRUMENT FOR DIAGNOSING AND)
TREATING SOFT TISSUE ABNORMALITIES)
THROUGH AUGMENTED SOFT TISSUE)
MOBILIZATION)
Group Art Unit 3764
September 29, 2004

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 29, 2004, please consider the following.
Please provide any further extensions of time which may be necessary and/or charge any fees
which may be due to Deposit Account No. 23-3030, but not to include any payment of issue fees.

10/05/2004 ZJU HAR1 00000011 10677281

01 FC:2202

108.00 0P

I hereby certify that this paper is being
deposited with the United States Postal Service
as first class mail in an envelope addressed to
the Assistant Commissioner for Patents,
Washington, D.C. 20231 on
September 29, 2004

Daniel J. Lueders

Daniel J. Lueders
Name of Registered Representative